HON'BLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.27724 of 2007

Date: December 26, 2007

Between:
Kona Ramanamma. … Petitioner

And

1. District Collector, Kadapa,
and 2 others. … Respondents

* * *

ORDER:

It is the case of the petitioner that as against the resumption orders passed by the Tahsildar, Badvel Mandal, in Ref.A/790/2007, dated 10.10.2007 resuming the land in an extent of Ac.1-61 cents in survey No.53/4 of C.Kothapalle village, Badvel Mandal, Kadapa District on the ground that the said land was assigned in favour of the petitioner Kona Ramanamma, but one Papudippu Mallikarjuna Reddy was found in possession of the said land and as the assigned lands are not alienable, the petitioner filed an appeal before the Revenue Divisional Officer and pending disposal of the appeal the stay application filed has been dismissed by order dated 26.11.2007 in Ref.B/1332/07. Aggrieved by the said action, the writ petition has been filed contending that petitioner is in possession and the said land is not in possession of Papudippu Mallikarjuna Reddy.

2. I am not inclined to express any opinion on merits of the case, as the statutory appeal is pending before the second respondent. Therefore, it is just and proper to protect the interest of the petitioner pending disposal of the appeal.

3. Having regard to the facts of the case, the writ petition is disposed of directing the second respondent to dispose of the main

appeal itself filed by the petitioner against the orders of the Tahsildar, Badvel Mandal, in Ref.A/790/2007, dated 10.10.2007. Pending disposal of the appeal petitioner shall not be dispossessed. No costs.

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(V. ESWARAIAH, J)

Date: December 26, 2007.

BSB